

REMARKS

Applicant is in receipt of the Office Action mailed April 24, 2003. Claims 5-38 were rejected. Claims 5, 22, 37, and 38 have been amended. Claims 5-38 are pending in the application.

Claims 5-18 and 21-38 were rejected under 35 U.S.C. §102(e) as being anticipated by Rossmann (U.S. Patent No. 5,809,415). The Office Action rejected claims 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Rossmann in view of Razavi et al. (U.S. Patent No. 6,253,122), hereinafter "Razavi." Applicant respectfully traverses these rejections in light of the following remarks.

Rossmann relates to a two-way data communication device that communicates with a server computer via a two-way data communication network. Applicant submits that there are numerous elements of the present claims that are not taught or suggested by Rossmann.

Regarding claim 5, the claim now recites a method comprising, in part, "a service accessible from the second network receiving the information from the service accessible from the first network" (emphasis added). Support for the amendment to claim 5 and related amendments to claims 22, 37, and 38 may be found at page 17, lines 13-15 of Applicant's specification. This element of claim 5 is not disclosed or suggested by Rossmann. Rossmann does disclose communication between a computing device and one or more servers via one or more networks (e.g., Fig. 1). In other words, Rossmann discloses that a particular device may communicate with a first server via a first set of networks, with a second server via a second set of networks, and so on. However, Rossmann does not teach or suggest communication between servers or services such as that recited by Applicant's claim 5. Specifically, Rossmann does not teach or suggest "a service accessible from the second network receiving the information from the service accessible from the first network." Applicant thus submits that claim 5 is patentable over Rossmann. Dependent claims 6-21 are also believed allowable for at least this reason.

In addition, dependent claims 6-21 include additional elements not taught or suggested by Rossmann. Regarding claim 13, for example, the Office Action argued that Rossmann discloses “the service accessible from the second network generating personalized advertising content based on the information regarding the user of the small footprint device.” at Fig. 4, col. 15 line 36 to col. 16 line 63, and col. 18 line 5 to col. 19 line 41. Applicant respectfully disagrees. At the cited locations, Rossmann does not teach or suggest a service “generating personalized advertising content based on the information regarding the user of the small footprint device.”

Regarding claim 16, the Office Action argued that Rossmann discloses “the small footprint device communicating with the service accessible from the second network to send information specifying a store in which a user of the small footprint device is currently located; wherein the service accessible from the second network generates the content based on the information and based on the store in which the user is currently located” at col. 17 lines 7-55 and col. 18 line 11 to col. 19 line 41. Applicant respectfully disagrees. At the cited locations, Rossmann does not teach or suggest sending “information specifying a store in which a user of the small footprint device is currently located.”

Regarding claim 17, the Office Action argued that Rossmann discloses “wherein said service accessible from the second network generating content based on the data comprises the service accessible from the second network generating advertising content based on the data” at col. 17 lines 7-55 and col. 18 line 11 to col. 19 line 41. Applicant respectfully disagrees. At the cited locations, Rossmann does not teach or suggest a service “generating advertising content based on the data.”

For at least the reasons discussed above, Applicant submits that Rossmann does not teach or suggest Applicant’s remaining claims because the remaining claims are similar to or provide additional limitations to the claims discussed above.

Based on the above remarks, Applicant asserts that Rossmann and Razavi do not teach or suggest Applicant's claimed invention as recited in claims 5-38. Therefore, claims 5-38 are patentable over Rossmann and Razavi. Applicant respectfully requests withdrawal of the Section 102(e) and 103(a) rejections of claims 5-38.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C., Deposit Account No. 50-1505/5181-29600/BNK.

Respectfully submitted,



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